

Report Date: May 4, 2015

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY - 5 2015

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Edward Charles Martinez

Case Number: 0980 2:07CR02066-LRS-3 &
1:14CR02017-LRS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: October 14, 2008

Original Offense: Conspiracy to Distribute a Controlled Substance, 21 U.S.C. § 846

Original Sentence: Prison 63 months; TSR - 48 months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: November 3, 2013

Defense Attorney: To be determined

Date Supervision Expires: November 2, 2017

PETITIONING THE COURT

Due to a clerical error, docket number 2:07CR02066-LRS-3 was not listed. The violation report is resubmitted.

To issue a summons.

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Standard Condition # 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.</p> <p>Supporting Evidence: The defendant failed to submit a written monthly report to the U.S. Probation officer between April 1, and 5, 2015.</p>
2	<p>Standard Condition # 9: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.</p> <p>Supporting Evidence: Mr. Martinez was observed in a photograph where he was at a local establishment with two convicted felons. The defendant confirmed he was in the photograph with the two convicted felons and the photograph was take subsequent to the start of his supervise release. Mr. Martinez did not first obtain permission, from this officer, to associate with either individual. Additionally, Mr. Martinez admitted he was with the same two individuals on the night of January 18, 2015, where they were observed fighting with another person at a local convenience store.</p>

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- 3 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: Edward Martinez began supervision on November 3, 2013. Since that time, he has been employed for approximately 30 days at a local warehouse during the fall of 2014.

- 4 **Special Condition # 20:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: In the photograph referenced above, Mr. Martinez appears to be drinking alcohol and has admitted he was drinking alcohol on two separate occasions subsequent to starting supervised release.

- 5 **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Martinez failed to attend his random urinalysis testing on June 25, August 21, October 16, and November 10, 2014; and March 19, 2015.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained within this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 4, 2015

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other

Signature of Judicial Officer

5/5/15

Date: